

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 108

2024 Regular Session

Seabaugh

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

EXPROPRIATION. Provides relative to expropriation. (8/1/24)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Adds that distribution lines may be expropriated exclusively by an electric public utility if a majority of the electricity or steam power to be generated, transmitted, or distributed in connection with the facilities will be delivered to end-users within Louisiana.
2. Adds that if provisions of proposed law are declared invalid or unenforceable by any court of competent jurisdiction, the remaining terms and provisions that are not affected thereby shall remain in full force and effect.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 108 Engrossed

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Present law provides expropriating authority to the state and its political subdivisions, and certain corporations, limited liability companies, or other legal entities.

Present law authorizes domestic and foreign corporations, limited liability companies, or other legal entities created for the purpose of generating, transmitting, and distributing electricity and steam for power, lighting, heating, or other such uses to expropriate needed property.

Proposed law requires domestic and foreign corporations, limited liability companies, or other legal entities created for the purpose of generating, transmitting, and distributing electricity and steam for power, lighting, heating, or other such uses be subject to certain qualifications provided by proposed law in order to expropriate property.

Proposed law provides that property may be expropriated exclusively by an "electric public utility" as that term is defined in proposed law or an affiliated entity for either of the following purposes:

- (1) A transmission or generation project that is approved and included in a multi-state regional transmission organization or independent system operator's transmission expansion plan or identified by such regional transmission organization or independent system operator as necessary for the reliability of the electric system or necessary for the interconnection of a generator.
- (2) Generating plants, buildings, transmission lines, stations or substations, distribution lines, or other associated facilities if a majority of the electricity or steam power to be generated, transmitted, or distributed in connection with the facilities will be delivered to end-users within Louisiana.

Proposed law also provides that the terms "Regional Transmission Organization" and "Independent System Operator" shall have the same meaning as provided by present federal law.

Proposed law provides that in the event that any provision or provisions of proposed law are declared invalid or unenforceable by any court of competent jurisdiction, the remaining terms and provisions that are not affected thereby shall remain in full force and effect.

Effective August 1, 2024.

(Amends R.S. 19:2(7))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Clarifies present law that except as to a transmission or generation project that is approved and included in a multi-state regional transmission organization's or independent system operator's transmission expansion plan or identified by such regional transmission organization or independent system operator as necessary for the reliability of the electric system or necessary for the interconnection of a generator.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Require a domestic and foreign corporation, limited liability company, or other legal entity created for the purpose of generating, transmitting, and distributing electricity and steam for power, lighting, heating, or other such uses be subject to certain qualifications in order to expropriate property.
2. Assign definitions to "Regional Transmission Organization" and "Independent System Operator".

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